

CLINE CHURCH NURSERY, INC
10787 Hwy 221 South
Fleetwood, NC 28626
836-877-237
censy@skybest.com



Mr. Thomas Dowd, Administrator
Office of Policy Development and Research
Employment and Training Administration
US Department of Labor
200 Constitution Ave., NW – Room N5641
Washington, DC 20210

March 22, 2009

RE: (RIN) 1205-AB55, (Proposed Suspension of Final H2A Regulations)

Dear Sir;

I am a Christmas tree farmer in Ashe County, North Carolina. I use the H2A program in order to have a legal, dependable, and temporary work force. I typically use around 20 people each year. I have some workers come in Spring, a few more in Summer and more at harvest starting in mid October. One factor in my decision this year was that the rules for H2A had been written and printed in the Federal Register in December, 2008.

I already have some workers for 2009. If the proposed suspension takes place I will fall under new regulations when my next workers come. This will be very confusing for the workers and for staff that are responsible for payroll. Why does the Department of Labor feel that it is wise to change the rules in the middle of the season? Most farmers have made their plans and budgets for the year based on the rules that were started on January 17, 2009. The fact that a new administration has been installed should not change everything. The rules could be studied and changed before another growing season starts. We only have ten days to voice our opinion. In tough economic times, we could use more notice of a rule change of this magnitude.

In the past, I have tried to understand why other farmers don't use the H2A program but use illegal workers instead. Perhaps they feel that they will be treated unfairly. As a farmer in Ashe County, North Carolina, I strongly encourage the US Dept of Labor and Secretary of Labor Hilda Solice to not play politics with the people who put food on the table of every home in America. Do not suspend the Final H-2A rules and do not revert back to the old revised temporary rules – quite frankly, this American farmer from Ashe County, North Carolina deserves better treatment and more respect than this proposed action by the US-DOL.

Sincerely,

Cline Church
Cline Church Nursery

P.S. Don't suspend the rules. This would be very costly in these economic times. It seems that we try to play by the rules, but then we are not treated fairly. Thank you.